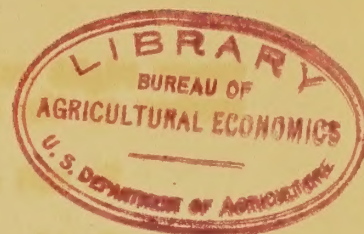


Issued August 1, 1940.

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION
SOUTHERN DIVISION

SOUTHERN REGION BULLETIN 453

1940 RANGE CONSERVATION PROGRAM



INSTRUCTIONS FOR FILLING OUT FORM SR-455, "APPLICATION FOR PAYMENT"

GENERAL

Each ranch to be covered by a Form SR-455, "Application for Payment" (hereinafter referred to as Form 455 or application), must have been covered by a single Form SR-452, "Report of Examination and Request for Participation" (hereinafter referred to as Form 452), and will cover the same land as is included under a single Form SR-454, "Performance Report" (hereinafter referred to as Form 454).

The entries to be made on Form 455 in the county office and by the applicants have been indicated by broken lines. Where a given space has been indicated for such an entry but is not applicable to the ranch in question, it shall be left blank unless these instructions otherwise state.

Acreages and other units of range-building practices shall be expressed in whole numbers only. Fractions amounting to one-half or less shall be dropped, and fractions amounting to more than one-half shall be considered as a whole number.

Any correction in the data on Form 455 shall be made by drawing a light line through the original entry (which must remain legible) and entering the correct data immediately above or beside the original entry. Corrections on Form 455 should be initialed by the committeeman whose signature appears in Section 5 thereof. If, however, such committeeman is not readily available for the purpose of initialing the correction, such correction may be initialed by another member of the county committee, provided the committeeman who initials the correction also affixes his signature in Section 5 below the original signature.

EXECUTION OF FORM 455

Section 1. - Representations and Application for Payment: Each applicant should familiarize himself with the provisions of Section 1, since it contains the representations upon which such applicant is basing his claim for payment.

Heading: Enter the State and county code and ranching unit serial number and the name of the county in the spaces provided in the

upper right corner. The serial number will be the same as the serial number on the corresponding Forms 452 and 454.

Do not enter the transmittal number.

Section 2. - Practices and Payments = Item 1: Enter the total acreage of range land in the ranch, as shown on the second line above the heading of Section I of Form 452 following the words "Range land exclusive of farm land."

Item 2: Enter the grazing capacity of the ranch (expressed in animal units), as shown in line 10, column (f), Section I of Form 452.

Item 4(a): Enter in the applicable space the number of pounds of seed sown in connection with practice number 2, from Section 3 of Form 454.

Item 4(b): Enter in the applicable space the acreage on which practice number 2 was carried out, from Section 3 of Form 454.

Item 5: Enter in column A the description of any supplemental practices carried out in connection with practice No. 1 and in column B the number of units of each such practice together with an indication as to whether the units are in acres, linear feet, cubic feet, or cubic yards. This data will be taken from Section 3 of Form 454.

Item 6(a): Enter the acreage on which practice No. 1 was carried out, from Section 3 of Form 454.

Item 7: Enter in column A the total number of cubic yards of material moved in constructing an earthen tank or reservoir under practice No. 7, and in column C the dirt excavated in constructing the earthen tank or reservoir but not used in making a dam. This data will be taken from Section 2 of Form 454, and a separate line will be used for each project.

Item 8: Enter in column A, on a separate line for each project, the number of cubic feet of material moved in developing natural watering places in soil or gravel under practice No. 10, and in column B, on a separate line for each project, the number of cubic feet of material moved in developing natural watering places in rock under practice No. 10. This data will be taken from Section 2 of Form 454. No project should be listed unless the total cost of its development was as much as \$20.

Items 9 through 16: Enter in column A the practice numbers of all approved range-building practices (other than practices numbered 1, 2, 7, and 10) carried out on the ranch, and in column B the number of units of each such practice together with an indication as to

whether the units are in acres, linear feet, cubic feet, or cubic yards. This data will be taken from Section 3 of Form 454.

Section 3. - Interested Persons and Division of Payment - Items 20 and 23, column A: Type or print the name and regular mail address of each ranch operator who is entitled to share in the payment. The name of each such operator should be in the form in which he customarily signs business documents.

Items 20 and 23, column B: Enter the percentage of the total payment to which each ranch operator is entitled, in accordance with the agreement of all operators entitled to share in the payment. If the operators are unable to agree upon the division of the payment, the county committee shall determine the percentage share of the payment to which each such operator is entitled.

Items 22 and 25, column A: Enter the word "Yes" or "No," whichever is applicable. "Yes" shall be entered in this space under either of the following circumstances:

(1) If the applicant is interested in any farm or in any other ranching unit in the county with respect to which he will file an application for payment under the applicable 1940 program.

(2) If the applicant is interested in any farm or ranching unit in any other county in the State (or in any farm, ranching unit, or turpentine place in other States--including Alaska, Hawaii, and Puerto Rico--if he is other than an individual, partnership, or estate) with respect to which he will file an application for payment under the applicable 1940 program.

Where "Yes" is entered and the applicant has not already executed a Form SR-421, "Multiple-Farm Report," in connection with the agricultural conservation program, he must execute a Form SR-421 (in accordance with the instructions set out in SRB-405A) and the same must be forwarded to the State office before or at the time the first Form 455 is submitted for such applicant.

"No" should never be entered in this space until the applicant himself has indicated that he has no interests in any other county (or State, if applicable). The county office ordinarily has records on which to answer the question insofar as the applicant's interests within the county are concerned, but does not have records regarding his interests outside the county.

Items 22 and 25, column BC: In the case of an assignment, enter the name and address of the person to whom the assignment was made. Such assignment shall not be recognized, however, unless the assignee has properly executed Part II of Form ACP-69 and it is shown therein that part or all of the amount advanced still remains unpaid.

If more than one assignment has been made with respect to the same payment, only the first assignment filed in the county office and remaining unpaid at the time the Form 455 is executed shall be honored.

In the case of a request for set-off filed on or before February 9, 1940, enter the notation "AAA-372" in the space for the name and address of assignee. If more than one Form AAA-372 has been executed with respect to the same payment, only the first such form filed in the county office shall be honored.

The Form ACP-69 (or Form AAA-372) shall be attached to the Form 455 for submission to the State office, and in all cases the Form ACP-69 must have entered thereon the date on which it was filed in the county office.

If there is no outstanding assignment or Form AAA-372, the word "None" must be entered.

[NOTE: No assignment filed on or before February 9, 1940, shall be recognized if at the time it was filed in the county office a Form AAA-372 was on file with respect to the payment in question, and no assignment shall be recognized if at the time it was filed in the county office notice had been received that the producer was indebted to the Farm Security Administration or the Farm Credit Administration.]

Items 22 and 25, column D: Enter the amount of the assignment remaining unpaid at the time the Form 455 is executed, from Part II of Form ACP-69, or the amount on Form AAA-372, whichever is applicable. If the amount shown in Part II of the Form ACP-69 exceeds the amount in Part I of that form, the assignment shall not be accepted unless the excess amount represents interest charges (at not more than the maximum rate per annum chargeable under the law of the State in which the ranching unit is located) originally provided for in Part I of the form. The county office shall check the amount shown as accrued interest in Part II of the form, to determine that such amount was computed at a rate of interest per annum not in excess of that specified in Part I thereof and for a period not exceeding that during which the amount advanced remained unpaid, counting up to not later than the date Part II of the form was executed.

Items 21 and 24, column A: After all necessary data have been entered thereon the signature of each applicant shall be affixed on the original Form 455 in ink or indelible pencil. Signatures on the application should be in the style set forth in ACP-16, "Instructions on Signatures and Authorizations," which is hereby made a part of these instructions. Under no circumstances shall a ranch operator be requested or allowed to sign an application in blank. The operator's signature must agree with his name as it appears in line 20 or 23, and must be in the original handwriting of such operator. (In case a duly authorized representative has been appointed in writing in accordance with existing procedure (Forms No. AAA-379, 380, 381, or 382, or

equivalent) or by a court (as, for example, an administrator, executor, or guardian), such representative shall sign his own name and title, showing for whom he acts and the capacity in which he acts.) Traced signatures, carbon impressions, and facsimile signatures on the original Form 455 are not acceptable, but carbon impressions are acceptable on the copies of the form.

The county committee is charged with the responsibility of determining that a person who signs an application in a representative capacity has the authority so to act, and the signing of Form 455 by a member of the committee shall constitute the certification of such committee that each person who signs the form in a representative capacity does possess the necessary authority. In the event the members of the committee do not have the personal knowledge that each such person has proper authority, they should require such person to submit evidence of his authority. (See ACP-16 and Forms AAA-379, 380, 381, and 382 as to what constitutes acceptable evidence of such authority.) It is not required that a power-of-attorney or other authorization on the applicable AAA form or other form be secured for substitution unless the power-of-attorney or other authorization now on file in the county office is found to be inadequate to prove the authority to act currently. No written evidence of authority need be attached to the Form 455 when it is submitted to the State office for payment.

Each signature by mark must be witnessed by one disinterested person, whose signature must be in the original and handwritten. It is not required that signatures be witnessed unless they are made by mark.

If any ranch operator who otherwise would share in the payment refuses to sign the Form 455, a statement by such person, setting forth his reason for refusing to sign, should be attached to the Form 455. If such statement cannot be obtained, there should be attached to the application a statement signed by the association secretary indicating the efforts which have been made to secure the signature and statement of such ranch operator and the reason for his refusal to sign the application or make the statement. If for any other reason the signature of any person who otherwise would share in the payment cannot be obtained, the reason for the failure of such person to sign shall be entered on the Form 455 in the space where his signature would otherwise have been affixed and such entry shall be initialed by a member of the county committee or by the association secretary.

Each original application must be properly signed by the interested persons and filed in the county office on or before March 31, 1941.

In cases where a ranch operator fails to sign the original application, payment may be made later to such ranch operator if, within the time limit for accepting such applications, he submits an application on a supplemental Form 455 properly executed by him. The basic

data on the supplemental Form 455 must be identical with those on the original application, except that the letters "Supp." should appear in the upper right corner immediately following the ranching unit serial number. Such supplemental Form 455 need not be signed by any ranch operator whose signature was affixed to the original application, but must be signed by the operator submitting it and by the association secretary and a member of the county committee.

Item 26: After all necessary data have been entered on the Form 455, it shall be carefully checked and reviewed by a competent employee of the county office specially designated for this purpose. If this person finds the application to be correct in every detail, he shall affix his initials in the space provided.

Section 5. - Certificate of County Committee: If the county committee finds that the data on Form 455 have been correctly entered and that the person(s) making application for payment are eligible under the regulations and instructions to receive payment with respect to the ranching unit covered by the Form 455, it shall authorize one of its members to affix his signature on behalf of the committee in the space provided. The committeeman who signs must not be a near relative of any interested person shown on Form 455 or have any sort of financial interest in the ranching unit covered thereby.

The date on which the signed application is filed in the county office shall be entered in the space provided. This will be the date on which the applicants affix their signatures in those cases where they come to the county office to sign the application. Where all applicants do not sign the application on the same date, the date to be entered will be the latest date on which the signature of any applicant is affixed, which in no event may be later than March 31, 1941. Where the application is taken out or mailed out of the county office for signatures, the date the signed application is returned to the county office or, if returned by mail, the date of the postmark on the envelope, will be considered as the date of filing.

The county committee shall not approve payment to any applicant whom it finds has in 1940 knowingly overplanted the cotton acreage allotment determined for any farm in which he has an interest. If the payment of any person is disallowed for this reason, the notation "Knowingly overplanted cotton allotment in 1940" shall be written in the line for his signature in Section 3 of Form 455.

The county committee shall prepare and submit to the State office with the Form 455, a statement, in duplicate, setting forth its findings and recommendations with respect to any ranch operator whom it finds -

(1) has in 1940 decreased the stand of grass or injured the forage, tree growth, or watershed by overgrazing on any ranching unit which he owns or operates; or

(2) has adopted any practice which tends to defeat any of the purposes of the 1940 or previous range conservation program, or which, with respect to forest land or woodland controlled by him, is contrary to sound conservation practices; or

(3) has, through any device whatsoever, offset, in whole or in part, any performance reported on the Form 455; or

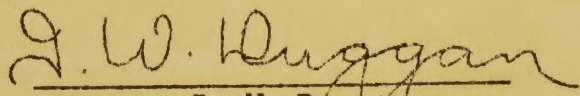
(4) has adopted or participated in adopting any scheme or device, including the dissolution, reorganization, or formation of any corporation, partnership, estate, trust, or by any other means, which was designed to evade, or would have the effect of evading, the limitation of payment (to \$10,000) set out in Section 5 of the Range Handbook.

If it is found that a ranch operator who is applying for payment on Form 455 has in 1940 made any change in the leasing arrangements of range land which were in effect on the ranching unit in 1939, or has employed any other scheme or device whatsoever, which would have the effect of depriving any other person of any payment or share therein to which such other person otherwise would be entitled, the county committee shall attach a complete report of its findings and recommendations to the Form 455, showing the percentage share of the payment to which the ranch operator would have been entitled had the change in leasing arrangements not been made or the scheme or device not been employed.

Submitting Forms 455 to State office: Forms 455 shall be listed on Form SR-315, "Transmittal Sheet," for submission to the State office.

The original and all copies of Forms 455, with inserted carbons intact, shall be submitted to the State office. The county office copy and the ranch operator's copy will be returned to the county office after computations have been made thereon, at which time the ranch operator's copy should be delivered to such person.

Issued August 1, 1940, with the approval of the Administrator.


I. W. Duggan,
Director, Southern Division

